

# Exhibit 2

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION**

WILLIAM THORPE, *et al.*,

*Plaintiffs,*

v.

VIRGINIA DEPARTMENT OF  
CORRECTIONS, *et al.*,

*Defendants.*

Civil Case No. 2:20-cv-00007-JPJ-  
PMS

**[PROPOSED] ORDER GRANTING PLAINTIFFS' AMENDED MOTION  
FOR CLASS CERTIFICATION**

The Court, having considered the papers and argument submitted in connection with Plaintiffs' Amended Motion for Class Certification, GRANTS the motion. It is, therefore, ORDERED that the following classes are certified under Rule 23 of the Federal Rules of Civil Procedure:

Constitutional Violation Injunction Class: All persons who are currently, or will in the future, be confined at Red Onion or Wallens Ridge at the "Level S" or "Level 6" security levels subject to any phase of the Step-Down Program.

Constitutional Violation Damages Class: All persons who from August 1, 2012 to the present have been confined at Red Onion or Wallens Ridge at the "Level S" or "Level 6" security levels subject to any phase of the Step-Down Program.

Disabilities Injunction Class: All persons who are currently, or will in the future, be confined at Red Onion or Wallens Ridge at the "Level S" or "Level 6" security levels subject to any phase of the Step-Down Program and who suffer from mental health disabilities and are qualified as individuals with disabilities under either the ADA or the RA.

Disabilities Damages Class: All persons who from August 1, 2012 to the present have been confined at Red Onion or Wallens Ridge at the “Level S” or “Level 6” security levels subject to any phase of the Step-Down Program and who suffer from mental health disabilities and are qualified as individuals with disabilities under either the ADA or the RA.

It is also ORDERED that White & Case LLP, the American Civil Liberties Union Foundation of Virginia, Hogan Lovells US LLP, and Ali & Lockwood LLP are hereby appointed as counsel for each of the above-mentioned classes pursuant to Rules 23(c)(1)(B) and 23(g) of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

DATED: \_\_\_\_\_, 2022 \_\_\_\_\_ HON. \_\_\_\_\_